

REMARKS / ARGUMENTS

In complete response to the outstanding Official Action of October 2, 2003, on the above-identified application, reconsideration is respectfully requested. Claims 1-10, 12-15, and 17-25 remain in this application. Claims 11 and 16 have been cancelled. Claims 1, 15 and 18 have been amended.

Claim 1 has been amended to further define the invention. Support for this amendment may be found in the Specification (Page 6, Lines 14 through 18):

"In such a case, the resin to be preconditioned is introduced into a column and carbon dioxide gas is passed through the resin ... the conversion to bicarbonate is in excess of 99 percent ..."

Further support for this amendment may be found in the Specification (Page 8, Lines 25 through 27):

"The carbon dioxide gas introduced into the column is preferably in an ultra-high-purity form. As used herein, the term "ultra-high-purity" includes impurity levels of less than about 0.001%."

Additional support for this amendment may be found in the Specification (Page 5, Lines 8 through 10):

"A first aspect of the invention involves a method for preconditioning an exchange resin which can be employed in the removal of ionic impurities from a hydrogen peroxide solution."

Claims 15 and 18 have also been amended accordingly, and are supported by the Specification as denoted above.

Claim Rejections:

Claims 1 and 15 stand rejected under 35 U.S.C. § 102 (b) as anticipated by, or in the alternative, under 35 U.S.C. § 103 (a) as being obvious over either Holl et al. '922 or Petheram '185, for reasons given in the last Office Action. Applicants respectfully maintain that the present invention is neither anticipated by nor obvious over either Holl et al. '922 or Petheram '185, alone or in combination.

The Examiner notes that the arguments that Applicants submitted in Paper 5, were not convincing, "since Claim 1 merely requires the step of passing carbon dioxide gas through an ion exchange resin bed." And, hence, "that there was no distinction between the process recited in applicant's Claim 1, and that disclosed by Holl et al." Applicants have amended Claim 1, and in so doing, have introduced numerous points of distinction between the process recited in Claim 1 and that disclosed by Holl et al.

Claim 1, as currently amended, requires the use of an ultra-high-purity carbon dioxide gas, the elimination of ionic impurities from the resin, and the conversion of said ion exchange resin to the bicarbonate form.

Holl et al. '922 uses carbon dioxide in combination with calcium carbonate to treat the resin. If calcium carbonate is used in the present invention, the calcium carbonate will leave a calcium residue, which contaminates the resin.

Petheram '185 uses the carbon dioxide to remove the regeneration waste, rather than actually preconditioning the resin in the present invention.

All the elements of Claim 1, as currently amended, are not present in either Holl et al. '922 or Petheram '185, and one of ordinary skill in the art would

find that neither Holl et al. '922 nor Petheram '185, either alone or in combination, either teach or suggest the present invention.

Applicants respectfully argue that since independent Claims 1, as currently amended, is allowable over both Holl et al. '922 and Petheram '185, for the reasons enumerated above, Claim 15 is also allowable.

Claims 2-14 and 17 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Holl et al. '922, for reasons given in the last Office Action. Applicants respectfully maintain that the present invention is patentable over Holl et al. '922.

Applicants respectfully argue that since independent Claims 1 and 15, as currently amended, are allowable over Holl et al. '922 for the reasons enumerated above, Claims 2-14 and 17 are also allowable since they are dependent claims.

Claims 18-25 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Shiga et al. '166, or Saito et al. '109, in view of Dias et al. '797. Applicants respectfully maintain that the present invention is patentable over Shiga et al. '166, or Saito et al. '109, in view of Dias et al. '797.

Shiga et al. '166 teaches the addition of an acid or salt to the process. Such addition of acid or salt would result in contaminating the resin of the present invention.

Saito et al. '109 teaches the use of a mixed ion-exchange bed in addition to an adsorbent bed, which is in stark contrast to the single ionic exchange bed of the present invention.

Dias et al. '797 teaches the use of a leaching process, which is unlike the ionic process used in the present invention.


One of ordinary skill in the art would find that neither Shiga et al. '166, Saito et al. '109 nor Dias et al. 797, either alone or in combination, would teach or suggest the present invention.

CONCLUSION

In view of the current amendments, the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited.

Should the Examiner believe that a telephone call would expedite prosecution of this application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,



Linda K. Russell

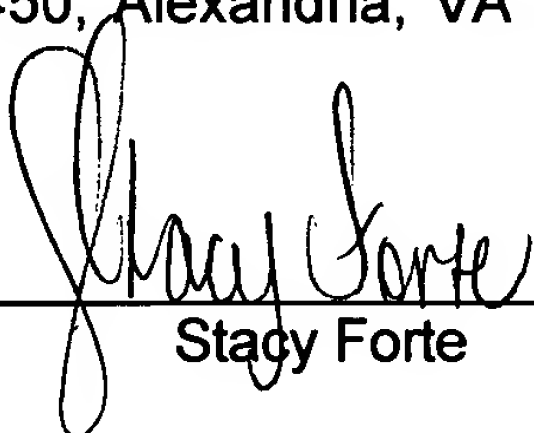
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of December, 2003.



Stacy Forte